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JAN 17 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *tan* DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose Jesus RUIZ-Parra,

Defendant.

Mag. Case No.

'08 MJ 8026COMPLAINT FOR VIOLATION OFTitle 8, U.S.C., Section 1326
Deported Alien Found In the
United States

The undersigned complainant being duly sworn states:

On or about January 15, 2008, within the Southern District of California, defendant Jose Jesus RUIZ-Parra, an alien, who previously had been excluded, deported and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.


 Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF JANUARY 2008.


 PETER C. LEWIS
 U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.
3 Jose Jesus RUIZ-Parra

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the statements of the
6 apprehending Supervisory Border Patrol Agent (SBPA) D. Kim, that Jose Jesus RUIZ-Parra was
7 found and arrested on January 15, 2008, approximately 3.5 miles east of Calexico, California.

8 On January 15, 2008, at approximately 11:00 a.m., SBPA Kim observed an individual
9 east of an area known as "Five Lights". SBPA Kim approached the individual and identified
10 himself as a United States Border Patrol Agent. SBPA Kim conducted a field immigration
11 interview with the individual in order to determine his immigration status. The individual was
12 later identified as Jose Jesus RUIZ-Parra, who stated he is a citizen of Mexico illegally in the
13 United States. SBPA Kim placed RUIZ under arrest.

14 SBPA T. Huffaker read RUIZ his Miranda Rights. RUIZ stated he understood his rights
15 and was willing to answer questions without the presence of an attorney.

16 RUIZ stated he is a citizen of Mexico with no legal immigration documents to work or
17 reside in the United States. RUIZ stated he entered the United States about a month ago through
18 Calexico. RUIZ also stated he was deported from the United States.

19 There is no evidence RUIZ sought or received permission from the United States
20 Attorney General or the Secretary of the Department of Homeland Security to re-enter the United
21 States after being deported.
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